

BORAH GOLDSTEIN  
ALTSCHULER NAHINS & GOIDEL, P.C.



**Jeffrey C. Chancas**

**Partner**

[JChancas@borahgoldstein.com](mailto:JChancas@borahgoldstein.com)

O: (212) 431-1300, Ext. 611

October 14, 2021

**Via ECF**

Honorable Katherine Polk Failla  
United States District Judge  
United States District Court  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square-Courtroom 618  
New York, New York 10007

**MEMO ENDORSED**

Re: Ricardo Velasquez v. Sunshine Florist Inc.  
and El-Kam Realty Co.  
United States District Court  
Southern District of New York  
Case No. 21-cv-03588-KPF

Honorable Judge Failla:

This firm has just been substituted in as counsel [ECF #25] for Defendant El-Kam Realty Co. ("El-Kam") in the above-referenced matter. We are writing this joint letter on behalf of El-Kam and Defendant Sunshine Florist Inc. ("Sunshine") (collectively "Defendants"), with the consent of Sunshine's counsel, respectfully to request: (a) an extension of time for Defendants to answer, move or otherwise respond to the Complaint from the current due date of tomorrow, October 15, 2021, through and including November 19, 2021; and (b) a thirty (30) day adjournment of the Initial Pre-trial Conference ("the Conference") currently scheduled for October 29, 2021, at 4:00 p.m.

This is El-Kam's fifth request to extend the time to answer, and the first by this firm. The first request was by a letter motion dated and filed June 8, 2021 [ECF #11], which the Court granted by an Order dated and entered June 8, 2021 [ECF #13]. The second request was by a letter motion dated and filed June 22, 2021 [ECF #14], which the Court granted by an Order dated and entered June 22, 2021 [ECF #15]. The third request was by a letter motion dated and filed August 11, 2021 [ECF #19], which the Court granted by an Order dated and entered August 11, 2021 [ECF #20].

BORAH GOLDSTEIN  
ALTSCHULER NAHINS & GOIDEL, P.C.



Honorable Katherine Polk Failla  
United States District Judge  
October 14, 2021  
Page 2 of 2

The fourth request was by a letter motion dated and filed September 8, 2021 [ECF #21], which the Court granted by an Order dated and entered September 9, 2021 [ECF #22].

The first, second and third of those letter motions also requested and were granted extensions of the Conference.

This is Sunshine's third request for an extension of the time to answer. The first request was by letter motion dated and filed June 23, 2021 [ECF #17], which the Court granted by an Order dated and entered June 23, 2021 [ECF #18]. The second request was by a letter motion dated and filed September 13, 2021 [ECF #23], which the Court granted by an Order dated and entered September 13, 2021 [ECF #24].

While the Court, in its Order of September 9, 2021 [ECF #22], stated with respect to El-Kam's answer deadline of October 15, 2021, that, "The Court expects that on that date, if the parties have not made progress in their settlement discussions, Defendant will file its response to the Complaint," we respectfully request that the Court grant this additional extension.

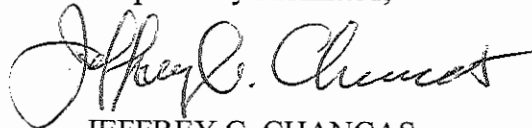
Counsel for the parties are still actively engaged in settlement discussions, are hopeful that a settlement can soon be reached and are trying to avoid additional legal fees being incurred. Also, this firm just started participating in those discussions.

Plaintiff's counsel consents to both requests. These requests do not interfere with any other scheduled dates.

Wherefore, I respectfully request that the Court grant the extension of time for Defendants to file their answer to the Complaint until November 19, 2021 and grant the thirty (30) day adjournment of the Conference.

Thank you.

Respectfully submitted,



JEFFREY C. CHANCAS

JCC/ac

Application GRANTED. Defendant El-Kam Realty Co. and Defendant Sunshine Florist Inc.'s response to the Complaint are due on or before November 19, 2021. The Court does not anticipate granting any further extensions. The initial pretrial conference scheduled for October 29, 2021, is hereby ADJOURNED to November 30, 2021 at 4:00 p.m.

The Clerk of Court is directed to terminate the pending motions at docket numbers 28 and 29.

Dated: October 15, 2021  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE